

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, March 14, 1935.

The meeting was called to order at 10:40 A. M., with Mayor Tom Miller presiding. Roll call showed the following members present: Councilmen C. F. Alford, C. M. Bartholomew, Simon Gillis, Mayor Tom Miller, and Councilman Oswald G. Wolf, 5; absent, none.

The reading of the Minutes was dispensed with.

A committee, composed of Mrs. W. C. Lear, Mrs. A. B. Cox, and Mrs. Nellie Ashley, came before the Council and asked that certain park and playground sites in the northwestern part of the City be considered in lieu of the proposed site at 28 $\frac{1}{2}$ Street and Shoal Creek Boulevard. After some discussion, the matter was referred to a meeting of said committee with the Mayor, City Manager, and Superintendent of Recreation at 4:30 P. M., Friday, March 15th, for an inspection of the various sites.

E. R. Pedigo, representing Gregory-Eddleman Company and Duquette, White & Company, of Houston, submitted a proposal for the purchase of \$306,000.00 unsold City of Austin 4% Revenue Bonds of the Water, Light and Sewer System, Series 1934, for \$103.50 plus accrued interest, Austin delivery. The matter was referred to a conference between the representatives of said Companies, the City Council and City Manager.

G. A. Martins, Attorney for Roy's Taxicab Company, submitted a petition for a temporary permit for at least ninety days to operate two additional taxicabs under the control of Jesus Gusman and Matilde Briseno, respectively, members of said Company.

It was moved by Councilman Wolf, seconded by Councilman Gillis, that a temporary permit for a period of ninety days be granted to Matilde Briseno, 406 East 12th Street, to operate a Chevrolet Sedan, 1933 Model, Factory No. 33,323, State Highway License No. 63284, such permit, at the option of the holder, to become permanent if in the meantime there is a vacancy in the total number of taxicabs allowed. The motion carried by the following vote: Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

It was moved by Councilman Wolf, seconded by Councilman Gillis, that a temporary permit for a period of ninety days be granted to Jesus Gusman, 406 East 12th Street, to operate a Chevrolet Sedan, 1933 Model, State Highway License No. 955-100, such permit, at the option of the holder, to become permanent if in the meantime there is a vacancy in the total number of taxicabs allowed. The motion carried by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

Judge R. E. Cofer appeared before the Council and asked for an adjustment of the taxes, interest and penalties on property in Elm Grove Addition recently acquired by him. The matter was referred to the City Manager and Board of Equalization for a conference with Judge Cofer at 4:00 P. M.

Councilman Wolf offered the following resolution:

WHEREAS, Jim Nelson is the contractor for the construction of a building located at 1011 Brazos Street and desires a portion of the sidewalk and street space abutting Lot 4, Block 122, of the Original City of Austin, Texas, during the construction of the building, such space to be used in the work and for the storage of materials therefor; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

1. THAT space for the uses hereinabove enumerated be granted to said Jim Nelson, the boundary of which is described as follows:

Sidewalk and Street Working Space

Beginning at a point in the east line of Brazos Street 24 feet south of the south

line of the alley traversing Block 122, of the Original City; thence in a westerly direction and at right angles to the centerline of Brazos Street a distance to a point 4 feet west of the east curb line of Brazos Street; thence in a southerly direction and parallel with the centerline of Brazos Street a distance of 20 feet; thence in an easterly direction and at right angles to the centerline of Brazos Street a distance to the east line of Brazos Street; thence in a northerly direction along the east line of Brazos Street to the place of the beginning.

2. THAT the above privileges and allotment of space are granted to said Jim Nelson, hereinafter termed "Contractor," upon the following express terms and conditions:

(1) That the Contractor shall maintain a 4-foot walkway along the east curb line of Brazos Street, such walkway to be protected on each side by guard rails. Spaces used for storage of material and for working spaces shall be separated from other public spaces by guard rails. All guard rails shall be at least 4 feet high and substantially braced and anchored.

(2) That the Contractor shall in no way obstruct any fire plugs or other public utilities in the construction of such guard rail.

(3) That provision shall be made for the normal flow of all storm waters in the gutter and the Contractor will be responsible for any damage done due to obstruction of any such storm waters.

(4) That the Contractor shall place on the outside corners of any walkway, barricades or obstructions, red lights during all periods of darkness.

(5) That the Contractor shall remove all fences, barricades, loose materials and other obstructions on the sidewalk and street immediately after the necessity for their existence on said sidewalk or street has ceased, such time to be determined by the City Manager, and in any event all such sidewalk, barricades, materials, equipment and other obstructions shall be removed not later than May 1, 1935.

(6) That the Contractor shall restore all public and private property injured during the use of such space to as good condition as the same existed before the use of such space began.

(7) That the City reserves the right to revoke at any time any and all the privileges herein granted or to require the erection or installation of additional barriers or safeguards if the conditions demand it.

(8) That the Contractor shall furnish the City of Austin a surety bond in the sum of Five Thousand Dollars (\$5000.00), which shall protect, indemnify and hold harmless the City of Austin from any claims for damages to any person or property that may accrue to or be brought by any person by reason of the exercise of the privileges granted the Contractor by the City of Austin and shall guarantee the replacement of all sidewalks, pavement and all other public property and public utilities disturbed or removed during the construction work and shall further guarantee the construction of a walkway and other safeguards during the occupancy of the space.

Upon motion of Councilman Wolf, seconded by Councilman Gillis, the resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

Councilman Wolf offered the following resolution:

WHEREAS, Jim Nelson is the contractor for the construction of a building located in the 1800 block on the east side of San Jacinto Street and desires a portion of the sidewalk and street space abutting Lot 36, Block 57, Division "E", of the City of Austin, Texas, during the construction of the building, such space to be used in the work and for the storage of materials therefor; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

1. THAT space for the uses hereinabove enumerated be granted to said Jim Nelson,

the boundary of which is described as follows:

Sidewalk and Street Working Space

Beginning at the southwest corner of the above described lot; thence in a westerly direction and at right angles to the centerline of San Jacinto Street a distance to a point 4 feet west of the east curb line of San Jacinto Street; thence in a northerly direction and parallel with the centerline of San Jacinto Street a distance of 102 feet; thence in an easterly direction and at right angles to the centerline of San Jacinto Street a distance to the east line of San Jacinto Street; thence in a southerly direction along the east line of San Jacinto Street to the place of the beginning.

2. THAT the above privileges and allotment of space are granted to said Jim Nelson, hereinafter termed "Contractor," upon the following express terms and conditions:

(1) That the Contractor shall maintain a 4-foot walkway along the east curb line of San Jacinto Street, such walkway to be protected on each side by guard rails. Spaces used for storage of material and for working spaces shall be separated from other public spaces by guard rails. All guard rails shall be at least 4 feet high and substantially braced and anchored.

(2) That the Contractor shall in no way obstruct any fire plugs or other public utilities in the construction of such guard rail.

(3) That provision shall be made for the normal flow of all storm waters in the gutter and the Contractor will be responsible for any damage done due to obstruction of any such storm waters.

(4) That the Contractor shall place on the outside corners of any walkway, barricades or obstructions, red lights during all periods of darkness.

(5) That the Contractor is permitted to construct a temporary work office within such allotted working space provided such work office is not within 25 feet of any corner street intersection.

(6) That the Contractor shall remove all fences, barricades, loose materials and other obstructions on the sidewalk and street immediately after the necessity for their existence on said sidewalk or street has ceased, such time to be determined by the City Manager, and in any event all such sidewalk, barricades, materials, equipment and other obstructions shall be removed not later than May 15, 1935.

(7) That the Contractor shall restore all public and private property injured during the use of such space to as good condition as the same existed before the use of such space began.

(8) That the City reserves the right to revoke at any time any and all the privileges herein granted or to require the erection or installation of additional barriers or safeguards if the conditions demand it.

(9) That the Contractor shall furnish the City of Austin a surety bond in the sum of Five Thousand Dollars (\$5000.00), which shall protect, indemnify and hold harmless the City of Austin from any claims for damages to any person or property that may accrue to or be brought by any person by reason of the exercise of the privileges granted the Contractor by the City of Austin and shall guarantee the replacement of all sidewalks, pavement and all other public property and public utilities disturbed or removed during the construction work and shall further guarantee the construction of a walkway and other safeguards during the occupancy of the space.

Upon motion of Councilman Wolf, seconded by Councilman Gillis, the resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

Councilman Wolf offered the following resolution:

WHEREAS, Scott Yeamans is the contractor for the alteration of a building located at 504-10 East 6th Street and desires a portion of the sidewalk and street space abutting

Lot 2 and the east 27'9" of Lot 1, Block 65, of the Original City of Austin, Texas, during the alteration of the building, such space to be used in the work and for the storage of materials therefor; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

1. THAT space for the uses hereinabove enumerated be granted to said Scott Yeamans, the boundary of which is described as follows:

Sidewalk and Street Working Space

Beginning at the southwest corner of the above described property; thence in a southerly direction and at right angles to the centerline of East 6th Street a distance to a point 4 feet south of the north curb line of East 6th Street; thence in an easterly direction and parallel with the centerline of East 6th Street a distance of 97 feet; thence in a northerly direction and at right angles to the centerline of East 6th Street a distance to the north line of East 6th Street; thence in a westerly direction along the north line of East 6th Street to the place of the beginning.

2. THAT the above privileges and allotment of space are granted to said Scott Yeamans, hereinafter termed "Contractor," upon the following express terms and conditions:

(1) That the Contractor shall maintain a 4-foot walkway along the north curb line of East 6th Street, such walkway to be protected on each side by guard rails. Spaces used for storage of material and for working spaces shall be separated from other public spaces by guard rails. All guard rails shall be at least 4 feet high and shall be substantially braced and anchored.

(2) That the Contractor shall in no way obstruct any fire plugs or other public utilities in the construction of such guard rail.

(3) That provision shall be made for the normal flow of all storm waters in the gutter and the Contractor will be responsible for any damage done due to obstruction of any such storm waters.

(4) That the Contractor shall place on the outside corners of any walkway, barricades or obstructions red lights during all periods of darkness.

(5) That the Contractor shall remove all fences, barricades, loose materials and other obstructions on the sidewalk and street immediately after the necessity for their existence on said sidewalk or street has ceased, such time to be determined by the City Manager, and in any event all such sidewalk, barricades, materials, equipment and other obstructions shall be removed not later than May 15, 1935.

(6) That the Contractor shall restore all public and private property injured during the use of such space to as good condition as the same existed before the use of such space began.

(7) That the City reserves the right to revoke at any time any and all the privileges herein granted or to require the erection or installation of additional barriers or safeguards if the conditions demand it.

(8) That the Contractor shall furnish the City of Austin a surety bond in the sum of Five Thousand Dollars (\$5000.00), which shall protect, indemnify and hold harmless the City of Austin from any claims for damages to any person or property that may accrue to or be brought by any person by reason of the exercise of the privileges granted the Contractor by the City of Austin and shall guarantee the replacement of all sidewalks, pavement and all other public property and public utilities disturbed or removed during the construction work and shall further guarantee the construction of a walkway and other safeguards during the occupancy of the space.

Upon motion of Councilman Wolf, seconded by Councilman Gillis, the resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

Councilman Wolf offered the following resolution:

WHEREAS, the Southwestern Bell Telephone Company has presented to the City Council tentative maps and plans showing the proposed construction of its pole lines in the streets in the City of Austin hereafter named, and said maps or plans have been considered by the City Engineer; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the Southwestern Bell Telephone Company be and the same is hereby permitted to construct its pole lines in the following streets:

(1) A telephone pole line in CASWELL AVENUE from Poponoe Street to 47th Street, the centerline of which pole line shall be 9 feet west of and parallel to the east line of said Caswell Avenue.

(2) One telephone pole in POPONOE STREET east of Caswell Avenue, the center of which pole shall be 35 feet south of the north line of Poponoe Street.

(3) One telephone pole in BARROW AVENUE north of Park Boulevard Alley, the center of pole shall be 8 feet west of the east line of Barrow Avenue.

(4) One telephone pole in BARROW AVENUE south of Park Boulevard Alley, the center of which pole shall be 8 feet east of the west line of Barrow Avenue.

THAT the work and construction of said pole lines, including the excavation of the streets and the restoration and maintenance of said streets after said pole lines have been constructed, shall be under the supervision and direction of the City Manager, and in accordance with the ordinances and regulations of the City of Austin governing such construction.

Upon motion of Councilman Bartholomew, the resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

Councilman Wolf offered the following:

"Austin, Texas
March 13, 1935

Mr. Guiton Morgan
City Manager
Austin, Texas.

Dear Sir:

We, the undersigned, have considered the application of M. H. Crockett for permission to install three additional gasoline pumps and to increase the width of the existing commercial driveway at the Gulf Filling Station located at the southwest intersection of South Congress Avenue and Barton Springs Road, which property is designated as a portion of the Isaac Decker League within the City of Austin, Travis County, Texas, and the commercial driveway to be widened is on the west side of South Congress Avenue and south of Barton Springs Road, and we hereby advise that the following conditions exist:

The property upon which these proposed improvements are to be made is designated as "C" Commercial Use District upon the zoning map of the City of Austin.

A filling station drain exists within the old station at this corner.

We recommend that M. H. Crockett be granted permission to install three additional pumps and to increase the width of an existing commercial driveway across the City sidewalk area, subject to the following conditions:

(1) That all buildings and equipment shall be placed inside of the property line, correct lines to be obtained before construction starts or equipment is installed. Lines and grades to be obtained from the City Engineering Department for entrances and driveways, building lines to be approved by the City Building Inspector. That the applicant shall confer with the City Engineering Department as to the future grades of the sidewalks and gutters on the adjacent streets before he starts any construction relative to the filling station.

(2) That all construction of the filling station improvements shall be in accord with the Building Ordinance, the Zoning Ordinance, the Filling Station Ordinance, and in accord with the ordinance prohibiting the disposal of commercial water or oils upon the City streets.

(3) That the grades of the station shall be such that no waste oils or water or any floor washings shall ever pass over the City sidewalk area and that all of said oils and water shall be concentrated into a combined grease and sand trap which shall be constructed in accordance with our standard plan 2-M-146 and shall be conducted by a pipe connection from said sand trap to the nearest storm sewer at the expense of the applicant. Before commencement of any construction the applicant shall apply to the City Engineer for an estimate of the cost of that portion of the storm sewer which will have to be built within

any City street or alley and shall deposit in escrow a sum equal to said estimate with the City Finance Director.

(4) That all filling station improvements, pumps, driveways, ramps, gutters, sidewalks and curbs shall be constructed of concrete at the expense of the applicant as set forth upon the plan hereto attached, which plan bears the City Engineer's file Number 2-C-573.

(5) Expansion joints shall be constructed as shown upon the plan hereto attached marked 2-C-573 and shall be of the pre-moulded type.

(6) That before use of said station the owner shall apply to the Building Inspector for final inspection when he considers that he has complied with all the requirements of the City.

Respectfully submitted,

(Sgd) J. E. Motheral
City Engineer

J. C. Eckert
Building Inspector. "

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the City Council of the City of Austin hereby approves as a filling station site the property situated at the southwest intersection of South Congress Avenue and Barton Springs Road, which property is owned by M. H. Crockett and is designated as a portion of the Isaac Decker League within the City of Austin, Travis County, Texas, and hereby authorizes M. H. Crockett to install three additional gasoline pumps and to increase the width of an existing commercial driveway across the City sidewalk area, subject to the same's being constructed in compliance with all the ordinances relating thereto, and further subject to the foregoing attached recommendations and plans; and the Building Inspector is hereby authorized to issue an occupancy permit for the operation of this filling station after full compliance with all the provisions of this resolution, and said permission shall be held to be granted and accepted subject to all necessary, reasonable and proper, present and future regulations and ordinances of the City of Austin, Texas, in the enforcement of proper police, traffic and fire regulations; and the right of revocation is retained if, after hearing, it is found by the City Council that the said M.H.Crockett has failed and refused, and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

Upon motion of Councilman Wolf, seconded by Councilman Bartholomew, the resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

Councilman Wolf offered the following resolution:

WHEREAS, M. H. Crockett, owner of Lot 36, Outlot 57, in Division "E" of the Government Outlots adjoining the Original City of Austin, Travis County, Texas, which property abuts the east side of San Jacinto Street between East 18th Street Alley and East 19th Street, has made application to the City Council of the City of Austin for permission to set the curb back from the established curb line of San Jacinto Street adjacent to the above described property, the new curb of which setback will be 6 feet east of the established curb line of San Jacinto Street, thereby relieving traffic conditions by creating a greater width of travelway on San Jacinto Street; and

WHEREAS, a plan has been prepared showing the proposed layout of the above described curb setback and said plan has been considered and approved by the City Council of the City of Austin; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT permission is hereby granted M. H. Crockett, owner of Lot 36, Outlot 57, Division "E" of the Government Outlots adjoining the Original City of Austin, Travis County,

Texas, which property abuts the east side of San Jacinto Street between East 18th Street Alley and East 19th Street within the City of Austin, Texas, to set the curb back from the established curb line on San Jacinto Street adjacent to the above described property.

Permission to construct the above described curb setback is granted subject to the same's being constructed in accordance with the plan approved by the City Engineer of the City of Austin, which plan is hereby attached marked 2-C-572 and made a part hereof, and in accordance with the following conditions:

(1) That the construction of the setback area on San Jacinto Street shall be carried out in accordance with the accompanying plan marked 2-C-572 and that all such widened areas, driveways or ramps and curbs shall be constructed of concrete at the expense of the applicant.

(2) That all such concrete shall be not less than 6 inches in thickness and shall be of the following proportions: 1 part cement, 2½ parts of sand, and 4 parts of screened gravel or rock.

(3) That the concrete curbs adjacent to the sidewalk area shall be not less than 6 inches high and that an expansion joint not less than ¾ inch thick shall be placed between the curb and the sidewalk as shown on the plan hereto attached marked 2-C-572.

(4) That all such expansion joints shall be of the pre-moulded type.

(5) That all concrete work within the street area shall be done by a bonded sidewalk contractor.

(6) That the applicants shall be required to clean the newly created ramp area at least twice per week and shall dispose of the debris at their expense.

(7) That all work shall be done in accordance with lines and grades furnished by the Engineering Department of the City of Austin and under the direction of the City Engineer.

Upon motion of Councilman Wolf, seconded by Councilman Bartholomew, the resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

Councilman Gillis offered the following ordinance:

AN ORDINANCE AMENDING, IN THE CERTAIN PARTICULARS HEREINAFTER STATED, AN ORDINANCE ENTITLED: "AN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN; AND REGULATING AND DISTRICTING THE HEIGHT, NUMBER OF STORIES AND SIZE OF BUILDINGS AND OTHER STRUCTURES, THE PERCENTAGE OF LOT THAT MAY BE OCCUPIED, THE SIZE OF YARDS, COURTS AND OTHER OPEN SPACES, THE DENSITY OF POPULATION, THE LOCATION AND USE OF BUILDINGS, STRUCTURES AND LAND FOR TRADE INDUSTRY, RESIDENCES AND OTHER PURPOSES; AND DIVIDING THE CITY OF AUSTIN INTO DISTRICTS OR ZONES, AND REGULATING AND DISTRICTING THE ERECTION, CONSTRUCTION, RECONSTRUCTION, ALTERATION, REPAIR AND USE OF BUILDINGS, STRUCTURES OR LAND WITHIN SUCH DISTRICTS OR ZONES; AND PROVIDING UNIFORM REGULATIONS FOR THE SEVERAL CLASSES AND KINDS OF BUILDINGS OR STRUCTURES AND USES WITHIN THE DISTRICTS OR ZONES; AND ADOPTING TWO ZONING MAPS, DISCLOSING RESPECTIVELY THE SEVERAL USE DISTRICTS AND THE SEVERAL HEIGHT AND AREA DISTRICTS, AND THE RESTRICTIONS AND LIMITATIONS AND PROVISIONS APPLICABLE TO SUCH DISTRICTS; AND PROVIDING FOR A BOARD OF ADJUSTMENT AND DEFINING THE POWERS OF SAME; AND PROVIDING CERTAIN PENALTIES AND REMEDIES; AND DECLARING AN EMERGENCY. "

The ordinance was read the first time and Councilman Wolf moved that the rule be suspended and the ordinance be passed to its second reading. The motion carried by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

The ordinance was read the second time and Councilman Wolf moved a further suspension of the rule and the placing of the ordinance on its third reading. The motion carried by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

The ordinance was read the third time and Councilman Wolf moved that same be finally passed. The motion carried by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

The following report of the Board of Adjustment was read:

"Austin, Texas
March 13, 1935.

Honorable Mayor and City Council
Austin, Texas.

Gentlemen:

Attached hereto is a copy of a resolution which was passed by the Board of Adjustment at a meeting held on March 4, 1935, in regard to the changing of the Use designation of property located at the southwest corner of the intersection of Nueces Street with 19th Street.

Respectfully submitted,

(Sgd) H. F. Kuehne,
Chairman Board of Adjustment. "

(Resolution attached)

WHEREAS, the Board of Adjustment of the City of Austin, at a meeting held on March 4, 1935, carefully considered the application of Mrs. J. M. Matejek for changing the use designation of her property located at the southwest corner of the intersection of Nueces Street with 19th Street, City of Austin, from "B" Residence District to "C" Commercial District; and

WHEREAS, the Board received a petition from certain property owners owning property on the south side of West 19th Street requesting that all of the property in the 500 and 600 blocks abutting on 19th Street be changed from "B" Residence District to "C" Commercial District, which petition is attached hereto; and

WHEREAS, one protest was received by the Board from Mrs. Loraine Duval, 1806 Nueces Street, owning property to the south of that of the original applicant, Mrs. J. M. Matejek, which protest is attached hereto; and

WHEREAS, the Board had considered this matter at a previous meeting but deferred action thereon to obtain an expression from the remaining property owners on 19th Street between San Antonio Street and Rio Grande Street; and

WHEREAS, the commercial district on the north side of 19th Street and Guadalupe Street has already been extended westward along the north side of 19th Street to the alley between San Antonio and Nueces Streets, but no extension was made on the south side of 19th Street until the property owners petitioned for such a change and until the trend of development would justify such a change; and

WHEREAS, since the adoption of the original zoning maps the property on the north side of 19th Street from Guadalupe Street to Rio Grande Street is practically altogether occupied by commercial uses, consisting of three filling stations, one grocery store and the fire station; and

WHEREAS, after viewing the property and carefully studying the conditions and trend of development of this street and the effect of any change of the use designation of the property upon its value and the values of the adjacent property; therefore

BE IT RESOLVED BY THE BOARD OF ADJUSTMENT, that the change of the single lot at the southwest corner of the intersection of 19th Street and Nueces Street from "B" Residence District to "C" Commercial District is not recommended but that all the property now classed as "B" Residence property on the south side of 19th Street from San Antonio Street to Rio Grande Street for a depth of 150 feet, and on the north side of 19th Street from San Antonio Street to Rio Grande Street, consisting of Original Lot 23, Outlot 22; Original Lots 21, 20 and the south 20 feet of Lot 19, all of Lot 7, the south 40 feet of Lot 8, and all of Lot 6, Outlot 23, all in Division "D" of the City of Austin, be changed from "B" Residence District to "C" Commercial District for the following reasons:

(1) That the character of this property is now sufficiently changed and determined to justify the re-designation of its use; owing to the fact that the north side of 19th Street is practically altogether developed as business property thus detracting from the desirability of the south side as residential property.

(2) That the majority of the owners of property referred to above have petitioned for such a change and that the only protest is from a property owner not owning property on this street but lying to the rear thereof.

(3) That to change the one lot of the original applicant would constitute spot zoning.

(4) That 19th Street as well as Nueces Street are through traffic arteries and are becoming less and less desirable for residential purposes and more desirable for business property.

BOARD OF ADJUSTMENT

By (Sgd) H. F. Kuehne, Chairman. "

Councilman Wolf then offered the following resolution:

WHEREAS, the Board of Adjustment has proposed that the Zoning Ordinance of the City of Austin be amended so as to change the zoning designation of all the property now classed as "B" residence property on the south side of 19th Street from San Antonio Street to Rio Grande Street for a depth of 150 feet, and on the north side of 19th Street from San Antonio Street to Rio Grande Street, consisting of Original Lot 23, Outlot 22, Original Lots 21, 20 and the south 20 feet of Lot 19, all of Lot 7, the south 40 feet of Lot 8, and all of Lot 6, Outlot 23, in Division "D" of the City of Austin, from "B" Residence District to "C" Commercial District; and

WHEREAS, under the terms of the Zoning Ordinance a public hearing must be held at which opportunity shall be given the public to offer any objections to said amendment; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT a public hearing be held on this amendment at the City Hall at 11:00 A. M. on Thursday, April 4th, 1935, and that notice of such hearing be completed by publication as required by the terms of said Zoning Ordinance.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

Councilman Wolf offered the following resolution:

WHEREAS, it has been determined that the assessments for taxes against 69 feet by 138 feet of Lot 7, Outlot 65, Division "E", City of Austin, for the years 1928, 1929, 1930, 1931, 1932, 1933, and 1934, now in the name of John Webourg, are excessive, and that same should now be corrected for each of said years; therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the assessments for taxes on said property for the years 1928, 1929, 1930, 1931, 1932, 1933, and 1934 be and the same are hereby reduced and corrected from the present assessed value of \$640.00 for each year to the assessed value of \$425.00 for each of said years; and that the City Assessor and Collector of taxes is authorized and directed to make such changes on the tax rolls, provided all of said taxes as revised be paid on or before March 15, 1935.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

There being no further business, Councilman Wolf moved to recess, subject to call of the Mayor. The motion carried by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

The Council then recessed at 11:25 A. M.

Approved: Tom Miller.
M a y o r .

Attest:

Harris McKellar
City Clerk